

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
a white Samsung Galaxy Amp Prime, Cricket Cellular
Telephone, IMEI: 356519076004059

Case No. 19-1829

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph a.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT
Printed name and title

Sworn to before me and signed in my presence.

Date: October 29, 2019

City and state: Philadelphia, PA


Judge's signature

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of
 (Briefly describe the property to be searched
 or identify the person by name and address)
 a black ZTE cellular telephone serial number:
 325784242E4C

Case No. 19-1829-2

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph b.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


 Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date: October 29, 2019


 Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
a white I-Phone in a camo case

Case No. 19-1829-3

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph c.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT
Printed name and title

Sworn to before me and signed in my presence.

Date: October 29, 2019


Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

a silver I-Phone S, IMEI: 358596070205062

Case No. 19-1829-4

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph d.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 29, 2019
12:52 pm



Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

a black I-phone with a cracked screen and no sim card

Case No. 19-1829-S

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph e.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

18 USC 922(a)(1)(A)

18 USC 924(a)(1)(A)

18 USC 371

Offense Description

Dealing in firearms without a license

False statements to a federal firearms licensee; Conspiracy

The application is based on these facts:

☒ Continued on the attached sheet.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature]

Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 29, 2019

[Signature]

Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

a black I-phone IMEI: 357345093873303

Case No. 19-1829-6

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph f.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date:

October 29, 2019



Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT

for the
Eastern District of Pennsylvania

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)

a silver Motorola flip cellular telephone

Case No. 19-1829-7

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

located in the Eastern District of Pennsylvania, there is now concealed (identify the person or describe the property to be seized):

See Attachment A, "Items To Be Searched," Paragraph g.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☐ contraband, fruits of crime, or other items illegally possessed;
☐ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 USC 922(a)(1)(A)	Dealing in firearms without a license
18 USC 924(a)(1)(A)	False statements to a federal firearms licensee; Conspiracy
18 USC 371	

The application is based on these facts:

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.


Applicant's signature

DOMINIC S. RAGUZ, ATF SPECIAL AGENT

Printed name and title

Sworn to before me and signed in my presence.

Date: October 29, 2019


Judge's signature

City and state: Philadelphia, PA

HON. DAVID R. STRAWBRIDGE, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Dominic S. Raguz, being first duly sworn, hereby deposes and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant under Federal Rule of Criminal Procedure 41 for information that is presently stored on the following Subject Cellular Telephones:

- a. **A white Samsung Galaxy Amp Prime, Cricket Cellular Telephone, IMEI: 356519076004059 ("Subject Cellular Telephone #1")**, previously possessed by Lamonte LEARY, and currently in the custody of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).
- b. **A black ZTE Cellular Telephone, serial number: 325784242E4C ("Subject Cellular Telephone #2")**, previously possessed by Ali SCOTT, and currently in the custody of the ATF.
- c. **A white iPhone in a camo case, ("Subject Cellular Telephone #3")**, believed to have been previously possessed by Stephen KIRKLAND, and currently in the custody of the ATF.
- d. **A silver iPhone S, IMEI: 358596070205062, ("Subject Cellular Telephone #4")**, recovered from the kitchen of Ali SCOTT's residence, and currently in the custody of the ATF.
- e. **A black iPhone, with a cracked screen and no sim card, ("Subject Cellular Telephone #5")**, recovered from the residence of Ali SCOTT, and currently in the custody of the ATF.
- f. **A black iPhone, IMEI: 357345093873303, ("Subject Cellular Telephone #6")**,

believed to have been previously possessed by Wydean SCOTT, and currently in the custody of the ATF.

- g. **A silver Motorola flip phone, ("Subject Cellular Telephone #7")**, recovered from Wydean SCOTT's bedroom closet, and currently in the possession of the ATF.

Based on the investigation, I know Subject Cellular Telephones #1-7 listed above have been used in criminal activity, as detailed herein. The Subject Cellular Telephones are described herein and in Attachment A, and the items to be seized are described herein and in Attachment B.

2. I am employed as a Special Agent with the ATF and have been so employed since 2015. I am currently assigned to ATF Philadelphia Group I, Firearms Trafficking, and am charged with conducting investigations into violations of federal firearms statutes, such as FFL burglaries and firearms trafficking. Prior to my current assignment, I was a member of the ATF's Violent Crime Task Force, which has the responsibility of investigating individuals and groups who commit violations of federal firearms and narcotics laws such as Hobbs Act robberies, kidnapping and other firearms-related offenses. I have participated in numerous investigations regarding violations of federal firearm statutes and violent crimes investigations, during the course of which I executed federal search and arrest warrants, reviewed and analyzed taped conversations, and debriefed witnesses, including cooperating witnesses and confidential sources. During my time as an ATF Special Agent, I have collected and analyzed electronic evidence, including cell site location information. The foundation of prior search warrants has been from information obtained through the use of confidential informants, personal investigative knowledge, investigations from other law enforcement and from official police reports.

3. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to search Subject Cellular Telephone #1, #2, #3, #4, #5, #6, and #7 for evidence of Title 18 U.S.C. § 922(a)(1)(A); dealing firearms without a license, Title 18 U.S.C. § 922(g)(1); felon in possession of a firearm, Title 18 U.S.C. § 924(a)(1)(A); knowingly making a false representation to a Federal Firearms Licensee, Title 18 U.S.C. § 922(o)(1); possession of a firearm with an obliterated serial number, conspiracy to commit these offenses, Title 18 U.S.C. § 371; and aiding and abetting, Title 18 U.S.C. § 2.

5. The court has jurisdiction to issue the proposed warrant because it is a “court of competent jurisdiction” as defined in 18 U.S.C. § 2711. Specifically, the Court is the Eastern District of Pennsylvania: a district court of the United States that has jurisdiction over the offense being investigated, *see* 18 U.S.C. § 2711(3)(A)(i); and is in a district in which the information being sought is stored on the Subject Cellular Telephones. *see* 18 U.S.C. § 2711(3)(A)(ii).

PROBABLE CAUSE

1. In summary, from in or about February 2018, through in or about February 2019, I, and other members of ATF Philadelphia Group 1, Firearms Trafficking Task Force, have been investigating Ali SCOTT, Lamonte LEARY, Charles WILSON, Kenneth CHERRY, and others in part or in whole for violations of Title 18 U.S.C. § 922(a)(1)(A)(Dealing firearms without a license); Title 18 U.S.C. § 922(g)(1)(Felon in possession of a firearm); Title 18 U.S.C. § 924(a)(1)(A)(Knowingly making a false representation to a Federal Firearms Licensee); Title

18 U.S.C. § 922(o)(1)(Transfer/Possessing an unregistered machinegun); Title 18 U.S.C. § 922(k)(Possession of a firearm with an obliterated serial number); Title 26 U.S.C. § 5861(d) (Possession of an unregistered NFA firearm); Title 18 U.S.C. § 371 (Conspiracy to commit these offenses); and Title 18 U.S.C. § 2 (Aiding and abetting). Specifically, ATF has utilized a Confidential Source (CS-1)¹ to conduct controlled firearms purchases from Kenneth CHERRY and Charles WILSON to include 45 firearms, two Glock Auto Sears, and one Philadelphia Police Department issued Ballistic vest purchased. During the course of the investigation, CHERRY sold firearms to CS-1, that we believe were trafficked from Virginia to Philadelphia, Pennsylvania. These firearms were identified as firearms purchased by LEARY, Natosha HARRIS, and Derwounte GREENE. Investigation into LEARY and HARRIS revealed that LEARY purchased approximately 41 firearms and HARRIS purchased eight firearms. Investigators have identified SCOTT as one of the traffickers. Through call detail records agents, identified SCOTT's cellular telephone number contacts with CHERRY's, LEARY's, HARRIS's, and GREENE's telephone numbers. Furthermore, Cell Tower Location data shows SCOTT's phone traveled from Virginia to Philadelphia, Pennsylvania on multiple occasions following the straw purchase of firearms by LEARY and HARRIS. Additionally, CS-1 was able to make contact with SCOTT through FaceTime,² and discussed the trafficking and sale of firearms from SCOTT to CS-1. The investigation is detailed hereinafter.

¹ CS-1 is a paid confidential informant, who has been assisting ATF since February 2018. CS-1 has no pending criminal cases. Prior to being signed up as a confidential informant with ATF, CS-1 cooperated with a separate law enforcement agency.

² FaceTime is the name for Apple's video-calling app that supports video and audio calls between devices. FaceTime uses data and does not show up on call detail records as supplied by telephone companies.

2. On November 24, 2017, GREENE purchased a Springfield Armory, model XD-S, 9mm pistol, bearing serial number: S3724961, from Bob's Gun Shop, located at 764 Granby Street, Norfolk, Virginia.

3. On December 1, 2017, LEARY purchased two firearms; a Springfield, model XD9, 9mm pistol, bearing serial number: US979486, and a Masterpiece Arms, model MPA30, 9mm pistol, bearing serial number: FX016393 from Cash Money Pawn & Gun, located at 5015 Portsmouth Boulevard, Portsmouth, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

4. On December 4, 2017, LEARY purchased two firearms; a Glock, model 23, .40S&W pistol, bearing serial number: KZW041, and a Smith & Wesson, model SD40VE, .40S&W pistol, bearing serial number: FZN0259, from Bob's Gun Shop, located at 764 Granby Street, Norfolk, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

5. On December 12, 2017, LEARY purchased two firearms; a Springfield Armory, model XDM, .45ACP pistol, bearing serial number: MG522680, and a Glock, model 23, .40S&W pistol, bearing serial number: BEDE309 from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

6. On December, 19, 2017, KIRA HARRIS purchased three firearms; a Smith & Wesson, model M&P40 Shield, .40S&W pistol, bearing serial number: HKS4531, a Taurus, model PT745 PRO, .45ACP pistol, bearing serial number: NFO57698, and a Heckler and Koch, model USP40 Compact, .40S&W pistol, bearing serial number: 26-046134, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia.

7. On December 20, 2017, LEARY purchased one firearm; a Beretta, model Nano, 9mm pistol, bearing serial number: NU061379, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

8. On January 30, 2018, agents interviewed CS-1 regarding Charles WILSON. CS-1 stated that WILSON regularly carries a firearm, and has offered to sell CS-1 multiple firearms. CS-1 made a consensually-monitored and recorded telephone call to WILSON regarding the sale of firearms.

9. On February 2, 2018, investigators, utilizing CS-1, conducted a controlled purchase of one firearm from WILSON, at South 61st and Reedland Street, Philadelphia, Pennsylvania. Investigators purchased a Hi-Point, model 995, 9mm rifle, bearing an obliterated serial number, for \$800.

10. On February 5, 2018, NATOSHA HARRIS purchased two firearms; a Glock, model 27, .40S&W pistol, bearing serial number CXF646US, and a Glock, model 27, .40S&W pistol, bearing serial number WUM139, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia.

11. On February 6, 2018, LEARY purchased four firearms; a Romarm, model Micro Draco, 7.62x39mm pistol, bearing serial number: PMD-04076-17, a Romarm, model Micro Draco, 7.62x39mm pistol, bearing serial number: PMD-04938-17, a Taurus, model PT111, 9mm pistol, bearing serial number TJY90450, and a Glock, model 30, .45ACP pistol, bearing serial number: VDH198, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

12. On February 18, 2018, NATOSHA HARRIS purchased two firearms; a Springfield, model XD9, 9mm pistol, bearing serial number: MG713370, and a Ruger, model P95DC, 9mm pistol, bearing serial number: 316-18661, from Superior Pawn Company, located at 805 West Little Creek Road, Norfolk, Virginia.

13. On February 19, 2018, KIRA HARRIS purchased two firearms; a Glock, model 23, .40S&W pistol, bearing serial number: WXZ424, and a Glock, model 26, 9mm pistol, bearing serial number: BBXP805, from Superior Pawn & Gun, located 2664 Lishelle Place, Virginia Beach, Virginia.

14. On February 24, 2018, LEARY purchased two firearms, a Glock, model 27, .40S&W pistol, bearing serial number: HEY878, and a Glock, model 22, .40S&W pistol, bearing serial number: AAKM261, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

15. On February, 26, 2018, LEARY purchased one firearm; a Springfield Armory, model XDS, 9mm pistol, bearing serial number: S3841842, from Cash Money Pawn & Gun, located at 5015 Portsmouth Boulevard, Portsmouth, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

16. On March 3, 2018, LEARY purchased six firearms; a Glock, model 42, .380ACP pistol, bearing serial number: ACNH118, a Glock, model 19, 9mm pistol, bearing serial number: BFSS461, a Glock, model 43, 9mm pistol, bearing serial number: BFTW915, a Glock, model 22, .40S&W pistol, bearing serial number: VVW872, a Glock, model 23, .40S&W pistol, bearing serial number: YMC732, and a Glock, model 23, .40S&W pistol, bearing serial number: RBH536, from Chesapeake Pawn and Gun, located at 3330 South Military Highway,

Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

17. On March 16, 2018, agents directed CS-1 to purchase firearms from WILSON, at 433 Main Street, Darby, Pennsylvania. CS-1 went inside the residence with WILSON to complete the transaction. Investigators purchased a Walther, model PPS, .40S&W pistol, bearing serial number: AL7457, for \$475.

18. On March 17, 2018, N. HARRIS purchased two firearms; a Glock, model 43, 9mm pistol, bearing serial number: BFBZ462, and a Glock, model 43, 9mm pistol, bearing serial number: BFPU953, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia.

19. On April 17, 2018, LEARY purchased four firearms; a Springfield Armory, model XD, 9mm pistol, bearing serial number: GM712515, a Springfield Armory, model XD, .45ACP pistol, bearing serial number: GM501618, aa Glock, model 19, 9mm pistol, bearing serial number: ZUG051, and a Interordnance, model Sporter, 7.62x39mm pistol, bearing serial number: S034720, from Superior Pawn Company, located at 3449 North Military Highway, Norfolk, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

20. On April 18, 2018, LEARY purchased two firearms; a Zastava/Century Arms, model PAP M92 PV, 7.62x39mm pistol, bearing serial number: M92PV072905, and a Glock, model 29, 10mm pistol, bearing serial number: BGSA233, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

21. On May 5, 2018, LEARY purchased five firearms; a Romarm, model Micro Draco, 7.62x39mm pistol, bearing serial number: PE-0604-2018, a Romarm, model Micro Draco, 7.62x39mm pistol, serial number: PMD-05331-18, a Century Arms, model RAS47, 7.62x39mm pistol, bearing serial number: RAS47097886, a Glock, model 27, .40S&W pistol, bearing serial number: DHT556US, and a Glock, model 17, 9mm pistol, bearing serial number: PHN206, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

22. On June 6, 2018, NATOSHA HARRIS purchased two firearms, Glock, model 26, 9mm pistol, bearing serial number: APHB615, and a Glock, model 42, .380ACP pistol, bearing serial number: ACXL467, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia.

23. On July, 27, 2018, LEARY purchased two firearms; a Romarm, model Micro Draco, 7.62x39mm pistol, bearing serial number: PE-1275-2018, and a Romarm, model Micro Draco, 7.62x39mm pistol, bearing serial number: PE-1973-2018, from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

24. On August 4, 2018, LEARY purchased four firearms; a Glock, model 23, .40S&W pistol, bearing serial number: PTC100, a Smith & Wesson, model SD40VE, .40S&W pistol, bearing serial number: FZV4760, a Taurus, model PT111 G2, 9mm pistol, bearing serial number: TLR61639, and a Taurus, model PT111 G2, 9mm pistol, bearing serial number: TLR58434, from Chesapeake Pawn and Gun, located at 3330 South Military Highway,

Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

25. On August 6, 2018, agents directed CS-1 to purchase firearms from Kenneth CHERRY. Investigators purchased a Colt, model 1911, .45ACP pistol, bearing serial number 7057A, for \$750. This purchase was orchestrated by WILSON, and during the purchase after CS-1 picked up WILSON from 433 Main Street, Darby, Pennsylvania WILSON directed CS-1 to CHERRY in order to complete the firearms transaction.

26. On August 15, 2018, LEARY purchased two firearms; a Glock, model 27, .40S&W pistol, bearing serial number: BCEM729, and a Glock, model 23, .40S&W pistol, bearing serial number: BGHD796 from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

27. On August 16, 2018, LEARY purchased two firearms; a Smith & Wesson, model SD40VE, .40S&W pistol, bearing serial number: FWJ3824, and a Springfield, model XD9, 9mm pistol, bearing serial number: XD840406 from Chesapeake Pawn and Gun, located at 3330 South Military Highway, Chesapeake, Virginia. LEARY listed his address on the ATF Form 4473 as 4156 River Breeze Circle, Chesapeake, Virginia.

28. On August 17, 2018, agents directed CS-1 to purchase firearms from CHERRY. Investigators purchased five firearms; a Taurus, model PT111 G2C, 9mm pistol, serial number: obliterated, a Smith & Wesson, model SD40VE, .40S&W pistol, serial number: obliterated, a Glock, model 27, .40S&W pistol, serial number obliterated, a Glock, model 23, .40S&W pistol, serial number: obliterated, and a Springfield Armory, model XDS, 9mm pistol, bearing serial number: S3724961, for \$5,750. total. WILSON accompanied CS-1 during this purchase due to

WILSON assisting in orchestrating the transaction between CS-1 and CHERRY. Specifically, CS-1 picked up WILSON and they drove together to meet CHERRY. During the transaction, CHERRY believed WILSON was purchasing some of the firearms. The controlled purchase took place at or near 3835 Wyalussing Avenue, which investigators believe is a residence of someone related to Ali SCOTT. CHERRY stated during the purchase that he “taxed³” each firearm \$100. and his cousin, SCOTT, taxed him. After the purchase CS-1 paid WILSON \$100. for arranging the purchase.

29. Through investigation and despite the serial numbers being obliterated, investigators learned that the Springfield, model XDS, 9mm pistol, serial number: S3724961, was purchased by GREENE, on November 17, 2017. Investigators were able to identify the serial numbers for the Glock, model 27 as BCEM729, and the Glock, model 23 as BGHD796. Upon learning the serial numbers for the Glock pistols, investigators learned that the Glock, model 27, serial number: BCEM729 and the Glock, model 23, serial number: BGHD796 were both purchased by Lamonte LEARY, on August 15, 2018, just two days prior to the controlled purchase by ATF.

30. On August 20, 2018, agents directed CS-1 to purchase firearms from CHERRY. Investigators purchased a Glock, model 43, 9mm pistol, serial number: obliterated, for \$1,000.00, and two Glock Auto Sears, for \$250. apiece. Despite the serial number being obliterated, investigators were subsequently able to identify it as BFPU953, and learned that the firearm was purchased by HARRIS, on March 17, 2018.

31. On August 24, 2018 through August 26, 2018, CS-1 was in contact with WILSON who was attempting to facilitate a firearms transaction between CS-1 and the Virginia

³ “Taxed” is the street term used to describe when the seller adds money on top of the original purchase price, as a way of making a profit or more of a profit from the item/contraband they are selling.

Firearms Trafficker, SCOTT. WILSON was unable to complete the transaction because the Virginia Firearms Trafficker only wanted to deal with CHERRY. CS-1 informed investigators that CHERRY contacted him/her and stated that the Virginia Firearms Trafficker got into a motorcycle accident and was admitted to the hospital.

32. Pursuant to a federal grand jury subpoena, investigators acquired SCOTT's hospital records for his admission to Sentara Norfolk General Hospital on August 25, 2018. According to those records, when he was interviewed by hospital personnel, SCOTT stated that his address was 1401 Lindsay Avenue, Portsmouth, Virginia. Investigators also obtained the Portsmouth Police Department Police report, which related that SCOTT had been in a motorcycle accident, and was subsequently transported to Sentara Norfolk General Hospital for treatment.

33. On August 29, 2018, Investigators conducted a telephonic interview with Derwounte GREENE. During the interview, GREENE stated that he sold his Springfield, XDS9 approximately two weeks prior, however, he refused to identify the person to whom he sold the firearm. Investigators purchased GREENE's Springfield, model XDS, 9mm pistol, serial number: S3724961 on August 17, 2018, as described in paragraph 28.

34. On September 16, 2018, the Philadelphia Police Department (PPD) recovered a Taurus, model PT111, 9mm pistol, serial number: obliterated by abrasion, outside of 225 South 57th Street, Philadelphia, Pennsylvania, subsequent to the murder of Anthony Gibbs. The firearm was submitted to PPD Firearms Identification Unit (FIU) for serial number restoration. Following laboratory analysis, FIU confirmed the serial number on the slide and barrel of the aforementioned firearm to be "TYJ90450." A record check of the restored serial number confirmed the firearm was originally purchased by LEARY on February 6, 2018.

35. On September 18, 2018, Task Force Members, utilizing CS-1, conducted a controlled firearms purchase from CHERRY, at the rear of 1802 North 52nd Street, Philadelphia, Pennsylvania. Investigators purchased an Interodnance, model Sporter, 7.62x39mm pistol, serial number: obliterated, for \$2,800., and 20 rounds of 7.62x39mm ammunition. During this transaction, CHERRY discussed the fact that his Virginia Firearms Trafficker would be bringing firearms to Pennsylvania.

36. On September 20, 2018, CS-1 informed investigators that the Virginia Firearms Trafficker, (Ali SCOTT), was planning on traveling from Virginia to Pennsylvania with a shipment of firearms for sale. CS-1 made a consensually-monitored and recorded telephone call to CHERRY. During the call, CHERRY stated that (SCOTT) was having trouble getting to Philadelphia, Pennsylvania because (SCOTT) was in the hospital, and was reluctant to let anyone handle his money. CS-1 and CHERRY discussed a future firearms purchase, however the firearm at issue was presently at (SCOTT's) mothers house and CHERRY had to check with (SCOTT) about picking it up himself.

37. On September 21, 2018, agents directed CS-1 to purchase firearms from CHERRY, at 3825 Wyalusing Avenue, Philadelphia, Pennsylvania. Investigators purchased a Romthenica, model WUM 1, 7.62x39mm rifle, bearing serial number: WUM 1-1439, for \$1,950. Although CHERRY originally asked for \$1,850. for the firearm, he added an extra \$100. at the time of purchase. During the purchase, CHERRY told CS-1 that "Ali" [SCOTT] and "Wydea" are brothers and that "Wydea" was the original firearms trafficker. Based upon my knowledge in this investigation, I believe CHERRY was referring to ALI SCOTT and his brother WYDEAN SCOTT. CS-1 later told investigators that CHERRY had explained to him/her that WYDEAN

SCOTT was the first one to traffic guns from Virginia to Pennsylvania, and that later on his brother, ALI SCOTT, started doing the trafficking.

38. On November 9, 2018, the Philadelphia Police Department recovered a Glock, model 23, .40S&W caliber pistol, serial number: obliterated by grinding and abrasion, inside 3131 Tulip Street, Philadelphia, Pennsylvania, during a search. The police arrested William Hopkins and Angel Torres. The firearm was submitted to PPD FIU for serial number restoration. Following laboratory analysis, FIU confirmed the serial number to be "PTC100." A record check of the restored serial number confirmed the firearm was purchased by LEARY on August 4, 2018.

39. On November 30, 2018, the Philadelphia Police Department, along with the Philadelphia Adult Probation and Parole Department, recovered a Glock, model 22, .40S&W caliber pistol, serial number: obliterated by abrasion, inside 102 Adams Avenue, Philadelphia, Pennsylvania, subsequent to the service of a Probation Violation arrest warrant for Esequiel Montanez. The firearm was submitted to Philadelphia Police Department-Firearms Identification Unit (FIU) for serial number restoration. Following laboratory analysis, FIU personnel confirmed the serial number to be "VVW872." A record check of the restored serial number confirmed the firearm was originally purchased by LEARY on March 3, 2018, as described in paragraph 16.

40. On December 16, 2018, Yeadon Police Department recovered a Glock, model 22, .40S&W caliber pistol, serial number: obliterated by abrasion, in the area of 714 Church Lane, Yeadon, Pennsylvania, subsequent to the arrest of Kahri HARRIS. The firearm was submitted to the Delaware County Criminal Investigation Division Forensic Science Unit for serial number restoration. Following laboratory analysis, the Forensic Science Unit confirmed the serial

number to be "AAKM261." A record check of the restored serial number confirmed the firearm was originally purchased by LEARY on February 24, 2018, as described in paragraph 14.

41. On January 14, 2019, agents directed CS-1 to purchase a firearm from CHERRY. Investigators purchased a FN, model FNS-40, .40S&W caliber pistol, bearing serial number: GKU0151426, for \$1,200.00. Prior to the purchase, CHERRY told CS-1 to bring an extra \$300. for the sale of previous firearms. During the controlled purchase, CHERRY stated that his "folks" from Virginia were planning on bringing one or two AR pistols to Philadelphia, Pennsylvania. CS-1 identified this FN firearm as one he had previously seen, and he believed that it had been trafficked from Virginia. A records check showed the FN, model FNS-40, .40S&W pistol, bearing serial number GKU0151426 had been purchased by Rakim Sharpe, in Hampton, Virginia.

42. On February 4, 2019, task force members, utilizing CS-1, conducted a controlled firearm purchase from CHERRY. Investigators purchased an Intratec, model AB-10, 9mm pistol, bearing serial number: A004955, and 15 rounds of 9mm ammunition, for \$1,300. During the controlled purchase, CHERRY discussed traveling down to Virginia to purchase firearms from SCOTT, and then taking the bus back to Philadelphia. CHERRY then stated that he would provide CS-1 with SCOTT's telephone number, in exchange for money.

43. On February 5, 2019, investigators conducted a consensually-monitored and recorded meet with CHERRY utilizing CS-1. During the meeting, CHERRY made a FaceTime call to SCOTT. CHERRY, SCOTT, and CS-1 discussed CS-1 purchasing firearms from SCOTT, and how CS-1 should deal directly with SCOTT. Following the conversation with SCOTT, CHERRY provided CS-1 with SCOTT's telephone number, 757-775-0897.⁴ CS-1 subsequently

⁴ At the time of the March 7, 2019 search of 1401 Lindsay Avenue, Portsmouth, Virginia, Special Agent Charles Doerrer dialed the cellular telephone number 757-775-0897, which rang and was located in the kitchen of Ali

made a consensually-monitored and recorded FaceTime call to SCOTT. During the call, CS-1 and SCOTT continued their earlier conversation regarding the sale of firearms. SCOTT and CS-1 discussed: (a) what firearms CS-1 wanted and what firearms SCOTT could get; (b) the prices of the firearms; (c) how many firearms SCOTT was going to bring from Virginia to Pennsylvania; and (d) how they needed to compensate CHERRY. SCOTT also told CS-1, "Call me 'Li.'"

44. Following the FaceTime call with SCOTT, CS-1 was shown a photographic lineup of six unidentified individuals, with each photograph bearing only the word "Image" and a number. CS-1 subsequently identified the individual in photograph marked "Image 4" as "Ali." CS-1 signed Image 4 with his/her CI number and the date and time. Image 4 is identified as a photograph of Ali SCOTT.

45. On February 6, 2019, investigators made a consensually-monitored and recorded FaceTime call to SCOTT at phone number 757-775-0897, utilizing CS-1. During the call, CS-1 and SCOTT further discussed SCOTT selling firearms to CS-1, and how to compensate CHERRY for facilitating the meeting between CS-1 and SCOTT. Following the FaceTime call to SCOTT and during the investigators' debrief of CS-1 regarding the conversation, CS-1 inadvertently FaceTime Audio called SCOTT. This FaceTime Audio call was active for approximately five minutes into the debrief session. Upon realizing this error, CS-1 ended the call, and attempted to contact SCOTT back via calls and text messages, neither of which were being answered or delivered. Approximately 15 minutes later, CS-1 missed a FaceTime call from WILSON. CS-1 subsequently made a consensually-monitored and recorded FaceTime call to WILSON, who related that CHERRY had contacted him [WILSON] and stated that something was wrong regarding CS-1.

SCOTT's residence. The cellular telephone number is Subject Telephone #4.

46. On February 17, 2019, Darby Borough Police Department recovered a Glock, model 43, 9mm caliber pistol, serial number obliterated. The firearm was submitted to the Delaware County Criminal Investigation Division Forensic Science Unit for serial number restoration. Following laboratory analysis, the Forensic Science Unit confirmed the serial number to be "BFTW915." A record check of the restored serial number confirmed the firearm was originally purchased by LEARY on March 3, 2018, as described in paragraph 16.

47. Throughout the investigation, investigators have served grand jury subpoenas for call Detail Records (CDRs) for individuals identified during the investigation. An analysis of the CDRs revealed that Ali SCOTT was in contact with Lamonte LEARY, Natosha HARRIS, Derwounte GREENE, and Kenneth CHERRY. Furthermore, SCOTT was in contact with LEARY and Natosha HARRIS before and, at times, after their firearms purchases from FFL's. SCOTT and CHERRY did not begin contacting each other, via their identified cellular telephone numbers, until April 24, 2018. The records also revealed that SCOTT and LEARY were in contact following each of LEARY's firearms purchases. This includes LEARY's firearm purchases on August 15 and 16 of 2018. On August 17, 2018, agents directed CS-1 to purchase two firearms from Kenneth CHERRY. The investigation revealed that the firearms were originally purchased by LEARY two days prior, on August 15, 2018. Further analysis of the CDRs revealed that Wydean SCOTT was in contact with CHERRY, Natosha HARRIS, Kira HARRIS, and multiple telephone numbers associated with Ali SCOTT, including 757-775-0897, during the relevant timeframe.

48. On or about January 28, 2019, investigators applied for and were granted a federal search warrant in the Eastern District of Pennsylvania by the Honorable Carol Sandra Moore Wells, for CDR and Cell Tower Location data for the SCOTT's and others cellular telephones.

An analysis of the Cell Tower Location data for Ali SCOTT's cellular telephone bearing telephone number 757-775-0897 revealed that on approximately nine occasions, SCOTT traveled from Virginia to Philadelphia, Pennsylvania within days after LEARY or Natosha HARRIS purchased firearms. This includes LEARY's firearm purchases on August 15, 2018 and August 16, 2018, from which ATF purchased the two firearms from CHERRY, that LEARY had purchased on August 15, 2018. Specifically, SCOTT's telephone was in Philadelphia, Pennsylvania, on August 17, 2018.

49. On February 26, 2019, Charles WILSON was indicted by a federal grand jury in the Eastern District of Pennsylvania for the following violations of federal law:

- a. Title 18 U.S.C. § 922(a)(1)(A); Dealing firearms without a license)
- b. Title 18 U.S.C. § 922(g)(1); Possession of a firearm by a convicted felon
- c. Title 18 U.S.C. § 922(k); Possession of a firearm with serial number removed, obliterated and altered
- d. Title 18 U.S.C. § 2; Aiding and Abetting.

50. On February 26, 2019, Kenneth CHERRY was indicted by a federal grand jury in the Eastern District of Pennsylvania for the following violations of federal law:

- a. Title 18 U.S.C. § 922(a)(1)(A); Dealing firearms without a license
- b. Title 18 U.S.C. § 922(g)(1); Possession of a firearm by a convicted felon
- c. Title 18 U.S.C. § 922(o); Possession and transfer of a machine gun
- d. Title 26 U.S.C. § 5861(d); Possession of a firearm not registered in the NFR and Transfer Record
- e. Title 18 U.S.C. § 922(k) and 924(a)(1)(B); Possession of a firearm with serial number removed, obliterated and altered
- f. Title 18 U.S.C. § 2; Aiding and Abetting

51. On February 27, 2019, investigators obtained a federal search warrant in the Eastern District of Virginia by the Honorable Robert J. Krask, for 1401 Lindsay Avenue, Portsmouth, Virginia, the residence of Ali SCOTT.

52. On March 7, 2019, members of ATF Philadelphia and ATF Norfolk executed a federal search warrant on 1401 Lindsay Avenue, Portsmouth, Virginia. The agents found approximately 12 pounds of marijuana, 4 firearms (one of which was originally purchased by Lamonte LEARY on April 17, 2018), one Dremel-style rotary tool kit, two firearm boxes for firearms originally purchased by Lamonte LEARY on July, 2018, and 7 cellular telephones, among other items of evidentiary value. While searching, investigators encountered multiple individuals to include, Ali SCOTT, Wydean SCOTT, Stephen KIRKLAND, and Delah Hill at the residence.

53. During the search, agents recovered the following from Ali SCOTT's bedroom:

- a. **Subject Cellular Telephone #2.**
- b. One Glock, model, 19, 9mm caliber pistol, bearing SN ZUG051.
- c. One, Spike's Tactical, Model-15, multiple caliber, AR pistol, bearing SN:SS-008427.
- d. One Del-ton, Model, DTI-15, 5.56 caliber AR rifle, bearing SN B-24965.
- e. One Century Arms Gun box (empty); Label reads, Century Arms Mini Draco, bearing SN: PE-1973-2018.
- f. One Century Arms Gun box (empty); Label reads, Century Arms Mini-Draco, bearing SN: PE-1275-2018.

54. Agents also found **Subject Cellular Telephone #3** close to the couch where Stephen KIRKLAND was sleeping. Prior to the search warrant at 1401 Lindsay Avenue, investigators were not aware of Stephon KIRKLAND, or of his potential involvement in the firearms trafficking activity. Further investigation into KIRKLAND revealed that in 2016, he was arrested in Philadelphia, Pennsylvania, while in possession of firearm that was originally purchased in Norfolk, Virginia. Records obtained in the investigation show that KIRKLAND,

Ali SCOTT, and Wydean SCOTT have all used both 4526 Westminster Avenue, Philadelphia, Pennsylvania 19131 and 3821 Pennsgrove Street, Philadelphia, Pennsylvania 19104 as their addresses. Statements made by Wydean SCOTT revealed that KIRKLAND and Ali SCOTT are cousins, and had recently travelled together from Philadelphia, Pennsylvania to Portsmouth, Virginia.

55. Based on the content of the FaceTime call between Ali SCOTT and CS-1 on February 6, 2019, investigators believed that Ali SCOTT intended to fulfill CS-1's firearms order, and transport firearms from Virginia to Pennsylvania. During the search at 1401 Lindsay Avenue, investigators observed that Ali SCOTT required the use of a wheelchair and, therefore, had limited access to the second floor of the property. On the second floor of the property, ATF agents located Wydean SCOTT, along with a firearm and large quantities of marijuana, packaged in heat-sealed bags that were stuffed inside suitcases. Based on the nature and method of its packaging, I believe that the marijuana was packaged for interstate transportation and distribution. During a March 5, 2019 interview of Ali SCOTT, SCOTT stated that the firearms that were in his house were there for his personal protection, the protection of his family, the protection of his money, and the protection of his marijuana. Based on his FaceTime call with CS-1 in which Ali SCOTT agreed to the sale and transportation of firearms, as well as SCOTT's obvious limited mobility and need for a wheelchair, I believe that it is likely that SCOTT would use another person or persons to transport the firearms from Virginia to Pennsylvania on his behalf. Furthermore, during a previous controlled firearm purchase from Kenneth CHERRY, CHERRY stated to CS-1 that prior to getting firearms from "Ali" (Ali SCOTT), he was getting firearms from "Wydea" (Wydean SCOTT), as described in paragraph 37. During his subsequent transport from 1401 Lindsay Avenue to the Portsmouth Police Department, Wydean SCOTT

made an unsolicited statement that he drove to Virginia with Stephen KIRKLAND. Based on all of this information, I believe that Wydean SCOTT and Stephen KIRKLAND were involved in firearms trafficking with Ali SCOTT.

56. During the search, investigators recovered **Subject Cellular Telephone #4**, **Subject Cellular Telephone #5**, additional quantities of suspected marijuana, the Dremel-style rotary tool, and other items of evidentiary value in the kitchen and dining room of the residence. Investigators dialed the telephone number (757-775-0897) that has been linked to Ali SCOTT and observed **Subject Cellular Telephone #4** ringing, which led investigators to conclude that it was Ali SCOTT's cellular telephone.

57. During the execution of the search warrant, the following items were recovered from Wydean SCOTT's bedroom:

- a. **Subject Cellular Telephone #6.**
- b. **Subject Cellular Telephone #7.**
- c. One Glock Gen 4, Model 26, 9mm caliber pistol, bearing SN BCSZ193.
- d. Approximately 54 ounces of packaged suspected marijuana inside a small blue suitcase.
- e. Approximately 113 ounces of packaged suspected marijuana inside a black Adidas duffle/gym bag.

58. On March 5, 2019, Investigators interviewed Kira HARRIS. During the interview, Kira HARRIS stated that she had provided approximately four firearms to Ali SCOTT. HARRIS added that Ali SCOTT would go with her to the Federal Firearms Licensee, and direct her as to which firearm to purchase. Kira HARRIS also identified Ali SCOTT from a photographic lineup.

59. On March 5, 2019, Investigators interviewed Natosha HARRIS. During the interview, Natosha HARRIS stated that she had purchased five firearms for Ali SCOTT and three for her cousin, Trey JONES, but believed that the 3 for her cousin ultimately went to Ali SCOTT. Natosha HARRIS also stated that she knew Ali SCOTT was bringing the firearms to

Philadelphia, Pennsylvania. Natosha HARRIS also identified Ali SCOTT from a photographic lineup.

60. On March 5, 2019, investigators interviewed Lamonte LEARY regarding firearms he has purchased. Investigators asked LEARY where his firearms were located, to which LEARY stated that they all had been stolen out of his vehicle. Investigators asked whether LEARY had reported the theft to police, to which LEARY replied that he did not because he does not like to go to the police. LEARY did not know how many firearms he had, nor how many were stolen until investigators informed LEARY how many firearms they knew he had purchased. Investigators continued to ask LEARY about further details regarding the theft of his firearms, however, he was unable to provide any further information.

61. Investigators asked LEARY about his living situation, to which LEARY responded that between December 2017 or January 2018, to approximately August 2018, he was primarily living in South Carolina, and would occasionally drive back to Virginia. LEARY purchased 41 firearms between December 2017 and August 2018. When investigators asked LEARY about his employment, LEARY stated that during the last three months (June, July, and August 2018) he only worked in June, and made approximately \$1,600. Investigators asked how he was able to purchase \$4000 in firearms in less than a month. LEARY replied that he could have saved money.

62. Agents seizedt LEARY's cellphone (**Subject Cellular Telephone #1**) to preserve any evidence contained thereon, and prevent its destruction.

63. Based on my training and experience, I am familiar with some of the methods used by Lamonte LEARY and Natosha HARRIS in an effort to avoid detection by law enforcement. LEARY purchased firearms from four different FFL's, and Natosha HARRIS did

the same from two different FFL's. This method is common among firearms traffickers, as it is less likely to attract questions by a conscientious employee who notices the repeat nature of purchases. To date, none of the firearms purchased by LEARY and Natosha HARRIS have been reported to law enforcement as having been stolen. Additionally, on several occasions LEARY and Natosha HARRIS purchased the same or similar make and model of firearms. Specifically, LEARY purchased six Springfield, model XD series pistols, 18 Glock pistols, three Smith & Wesson, model SD40VE pistols, six Romarm, model Micro Draco pistols, and three Taurus, model PT111 series pistols. Natosha HARRIS purchased six Glock pistols. This is behavior indicative of people who divert firearms from the legal market to the illegal market. Furthermore, it is very uncommon to buy the same make and model firearms in a short amount of time.

64. Based on my training and experience, I am aware that another indicator of the diversion of firearms to the illegal market is the removal of serial numbers from them. The removal of the serial number makes it harder, if not impossible, for investigators to determine the original purchaser of the firearm. In this investigation, investigators have purchased numerous firearms with obliterated serial numbers. All of LEARY's firearms that have been recovered, have had obliterated serial numbers. This was not by coincidence. The removal of the firearm serial numbers thwarts law enforcement and make it harder, if not impossible, to dismantle the firearms trafficking ring. I know straw purchasers and traffickers will keep tools on hand, such as a Dremel tool or similar device, so that they can obliterate the serial number of a firearm they intend to traffic.

65. Based on my training and experience and my knowledge in conducting firearms trafficking investigations, I know that it is common for firearms traffickers who deal in a large

amount of firearms to keep gun boxes, firearms sales receipts, and notes detailing to whom the firearms were sold. Typically, as is the case in this investigation, only the actual firearms are sold. The gun boxes, firearms sales receipts, business cards, and other items are left behind, often in the traffickers' and straw purchasers' residences.

66. All of the suspects in this case have used cellular telephones to communicate with each other, either through calls, texts or FaceTime. Based on my training and experience and my knowledge in this investigation, I know that when firearms traffickers sell firearms to customers, they use wireless telephones to communicate with their customers. In these communications, sellers and buyers sometimes negotiate the price of the firearm, and often send photos of the firearms for sale. As stated previously, in this investigation, investigators have Call Detail Records which show communications between Ali SCOTT and Lamonte LEARY, Natosha HARRIS, Derwounte GREENE, and Kenneth CHERRY, utilizing Subject Phone # 757-775-0897.

67. I know from my training and experience that firearms traffickers store photographs of firearms on their phones. I know that cell phones contain directories, which allows investigators to identify phone numbers for other individuals engaged in criminal activity. I also know that cell phones contain a "notes" section that stores information about criminal activity such as prices of guns and specific information on each of the firearms trafficked. I also know that FaceTime calls, which have been used repeatedly during this investigation, use cellular data and not cell towers. Therefore, one of the only ways to capture those contacts is through a search of the actual phone. I also know that firearms traffickers will sometimes use different messaging or communication applications, ("apps") to communicate with customers, as well as other members of their firearms trafficking network.

68. All of the subject cellular telephones (#1-7) described herein have been in the custody of ATF since the time they were seized.

69. On June 3, 2019, Charles Wilson entered an open plea of guilty to the following charges: dealing in firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A); possession of a firearm by a felon, in violation of 18 U.S.C. § 922(g)(1)(20 counts); possession of a firearm with serial number removed, obliterated and altered, in violation of 18 U.S.C. §§ 922(k) and 924(a)(1)(B)(4 counts); and aiding and abetting possession of a firearm by a felon, in violation of 18 U.S.C. §§ 922(g)(1) and 2 (2 counts).

70. On August 26, 2019, following a jury trial, Kenneth Cherry was found guilty of the following charges: dealing in firearms without a license, in violation of 18 U.S.C. § 922(a)(1)(A); possession and transfer of a machinegun, in violation of 18 U.S.C. § 922(o); possession of an unregistered firearm, in violation of 26, U.S.C. § 5861(d); possession of a firearm by a felon, in violation of 18 U.S.C. § 922(g)(1) (13 counts); and possession of a firearm with serial number removed, obliterated and altered, in violation of 18 U.S.C. §§ 922(k) and 924(a)(1)(B)(8 counts).

CONCLUSION

71. For the foregoing reasons, I believe there is probable cause to search the contents of the following seven cellular telephones:

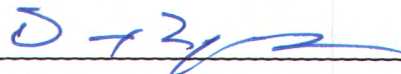
- a. **A white Samsung Galaxy Amp Prime, Cricket Cellular Telephone, IMEI: 356519076004059 (“Subject Cellular Telephone #1”),** previously possessed by Lamonte LEARY, and currently in the custody of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF),
- b. **A black ZTE Cellular Telephone, serial number: 325784242E4C (“Subject**

the custody of the ATF,

- c. **A white iPhone in a camo case, ("Subject Cellular Telephone #3")**, believed to have been previously possessed by Stephen KIRKLAND, and currently in the custody of the ATF,
- d. **A silver iPhone S, IMEI: 358596070205062, ("Subject Cellular Telephone #4")**, recovered from the kitchen of Ali SCOTT's residence, and currently in the custody of the ATF,
- e. **A black iPhone, with a cracked screen and no sim card, ("Subject Cellular Telephone #5")**, recovered from the residence of Ali SCOTT, and currently in the custody of the ATF,
- f. **A black iPhone, IMEI: 357345093873303, ("Subject Cellular Telephone #6")**, believed to have been previously possessed by Wydean SCOTT, and currently in the custody of the ATF,
- g. **A silver Motorola flip phone, ("Subject Cellular Telephone #7")**, recovered from Wydean SCOTT's bedroom closet, and currently in the possession of the ATF,

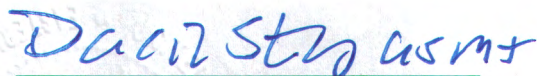
described in Attachment "A," and the contents any voice mail, email, text, multimedia and/or social media messages, applications, pictures, photographs, videos, recordings, notes, call logs, search history, calendar entries, contacts or other communications evidencing the crimes

described in this affidavit, and more specifically listed in Attachment "B," Evidence To Be Seized.



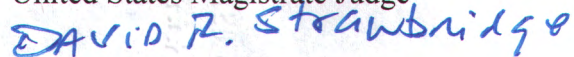
Special Agent Dominic S. Raguz
Bureau of Alcohol, Tobacco, Firearms and Explosives

Sworn to and subscribed
before me this 29th
day of October, 2019.



HONORABLE TIMOTHY R. RICE

United States Magistrate Judge



ATTACHMENT A

DESCRIPTION OF ITEMS TO BE SEARCHED

- a. **A white Samsung Galaxy Amp Prime, Cricket Cellular Telephone, IMEI: 356519076004059 (“Subject Cellular Telephone #1”)**, previously possessed by Lamonte LEARY, and currently in the custody of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF),
- b. **A black ZTE Cellular Telephone, serial number: 325784242E4C (“Subject Cellular Telephone #2”)**, previously possessed by Ali SCOTT, and currently in the custody of the ATF,
- c. **A white iPhone in a camo case, (“Subject Cellular Telephone #3”)**, believed to have been previously possessed by Stephen KIRKLAND, and currently in the custody of the ATF,
- d. **A silver iPhone S, IMEI: 358596070205062, (“Subject Cellular Telephone #4”)**, recovered from the kitchen of Ali SCOTT’s residence, and currently in the custody of the ATF,
- e. **A black iPhone, with a cracked screen and no sim card, (“Subject Cellular Telephone #5”)**, recovered from the residence of Ali SCOTT, and currently in the custody of the ATF,
- f. **A black iPhone, IMEI: 357345093873303, (“Subject Cellular Telephone #6”)**, believed to have been previously possessed by Wydean SCOTT, and currently in the custody of the ATF,
- g. **A silver Motorola flip phone, (“Subject Cellular Telephone #7”)**, recovered from Wydean SCOTT’s bedroom closet, and currently in the possession of ATF.

ATTACHMENT B

INFORMATION/ITEMS TO BE SEIZED

Evidence of or relating to the planning and/or execution of unlawful acquisition, possession, transportation, or trafficking of firearms or ammunition, in violation of 18 U.S.C. §§ 922(a)(1)(A), 924(a)(1)(A) and 371 and 2, and 922(g)(1), that is found on or within the premises or item set forth in Attachment A, as follows:

1. All documents, to include in electronic form, and stored communications including contact information, text messages, call logs, voicemails, Internet searches, and any other electronic data or other memory features contained in the devices described in Attachment "A" and SIM cards including correspondence, records, opened or unopened e-mails, text messages, and Internet history, pertaining to the offenses described in the Affidavit of Probable Cause;
2. Internet browsing activity and history, calendar entries, notes, memoranda, and digital documents, photographs, and images, pertaining to the offenses described in the Affidavit of Probable Cause;
3. All records, documents, invoices, notes and materials that pertain to accounts with any Internet Service Provider (ISP) or cell phone service provider, as well as all records relating to the ownership or use of the computer/phone equipment or devices;
4. Historical location information from any applications on the phones, including Internet browsing activity and history pertaining to the offenses described in the Affidavit of Probable Cause;
5. All records which evidence operation or ownership or use of the items described in Attachment "A," including, but not limited to, correspondence, sales receipts, bills, financial

records, tax records, personal photographs, telephone records, notebooks, diaries, reference materials, or other personal items, and registration information for any software on the those items;

6. During the course of the search, photographs of the Subject Cell Phone may also be taken to record the condition thereof and/or the location of items therein;

7. All computer/phone passwords, keywords and other data security devices designed to restrict access to or hide computer software, documentation or data. Data security devices may consist of hardware, software, or other programming code. Any password or encryption key that may control access to a computer/phone operating system, individual computer/phone files, or other electronic data;

8. Evidence and contents of logs and files on the item described in Attachment "A," such as those generated by the computer's operating system, which describes the history and use of the device, including but not limited to files indicating when files were written, were opened, were saved, or were deleted. Also, any malware resident on the computer/phone or device;

9. Any information pertaining to the acquisition, possession, or trafficking of firearms that was transmitted, stored, or received using the applications or means described in paragraphs 1-8 above; and

10. Any data that would tend to show the identity of the person using the device at the time that any items described in paragraphs 1-9 above were downloaded, viewed, saved, printed, copied, created, or transmitted.